

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067-4276
Facsimile No.: (310) 203-7199
Telephone No.: (310) 277-1010
Facsimile Dept. Ext.: 8200

FILE COPY

This communication may contain confidential or privileged information and may constitute inside information. It is intended only for the addressee. Any distribution, reading, copying, or use of this communication by anyone other than the addressee is strictly prohibited and may be unlawful. If you received this in error, please notify us immediately by telephone, and return the original communication to us at the above address by mail. You will be reimbursed for your reasonable expenses. Thank you.

Date: April 8, 2002

VIA FACSIMILE

Facsimile No.: (703) 305-9822

Sent by:

Sania

Office Telephone No.: (703) 308-0910

Reference No.:

8-27

To: Office of Initial Patent Examination
Customer Service
Commissioner for Patents

From: Carol A. Schneider, Ph.D., J.D.

Received by:

RECEIVED

JUL 31 2002

cc:

Time:

TECH CENTER 1600/2900

No. of Pages: 6
(including cover page)

Original will be sent via: ☐ Mail ☐ Pouch ☐ Messenger ☐ Overnight Courier ☐ Will not be sent

Patent
Atty D cket No. 156857-0034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Richard L. BOYD

Serial No.: 09/977,479

Filed: October 12, 2001

For: STIMULATION OF THYMUS FOR
VACCINATION DEVELOPMENT

Group Art Unit: 1644

Examiner: Belyavski, Michail A.

RECEIVED

JUL 31 2002

TECH CENTER 1600/29

REQUEST FOR CORRECTED FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant respectfully requests that a corrected Filing Receipt issue for the above-referenced application. The Filing Receipt issued by the U.S. Patent and Trademark Office does not indicate all of the previously filed applications from which priority is claimed (see enclosed copy of the first page of the specification). A copy of the Filing Receipt with changes noted thereon is attached.

Below the list of the Applicant(s), please insert as follows:

DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT:

THIS APPLICATION IS A CIP OF 09/965,394 09/26/2001
WHICH IS A CIP OF 09/755,965 01/05/2001
WHICH IS A CIP OF 09/795,286 10/13/2000
AND A CIP OF 09/795,302 10/13/2000
AND SAID 09/795,286 AND 09/795,302 10/13/2000
ARE CIPS OF PCT/AU00/00329 04/17/2000

CERTIFICATE OF TRANSMISSION

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being transmitted via facsimile ((703) 305-9822) on the date shown below to the Commissioner for Patents, Washington, D.C. 20231.

April 8, 2002

Date of Transmission

Connie Kwon
Connie Kwon

04/08/2002 11:09 FAX

IRELL & MANELLA


003

Patent
Atty Docket No. 156857-0034

Applicants believe that no fee is necessary at this time. However, if any fees are associated with this request, the Commissioner is authorized to charge the necessary amount from our Deposit Account No. 09-0946.

Respectfully Submitted,

Dated: April 5, 2002


Carol A. Schneider, Ph.D., J.D.
Registration No. 34,923

IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, CA 90067
Telephone: (310) 277-1010
Facsimile: (310) 203-7199

156857/0034
Patent

STIMULATION OF THYMUS FOR VACCINATION DEVELOPMENT

(i) 5 [0001] This application is a continuation-in-part of U.S. Serial No. not yet available filed September 26, 2001, which is a continuation-in-part of U.S. Serial No. 09/755,965, filed January 5, 2001, which is a continuation-in-part of U.S. Serial No. 09/795,286, filed October 13, 2000, which is a continuation-in-part of Australian Patent Application PR0745, filed October 13, 2000; U.S. Serial No. 09/755,965 is also a continuation-in-part of U.S. Serial No. 09/795,302, filed October 13, 2000, which is a continuation-in-part application of PCT/AU00/00329, filed April 17, 2000, which is an international filing of Australian patent application PP9778, filed April 15, 1999, each of which is incorporated herein by reference.

(1) 10 FIELD OF THE INVENTION

[0002] The present disclosure is in the field of response to vaccines in animals. More particularly, the present disclosure is in the field of improving vaccine response, through stimulation of the thymus.

BACKGROUND

(1) 15 THE IMMUNE SYSTEM

[0003] The major function of the immune system is to distinguish "foreign" antigens from "self" and respond accordingly to protect the body against infection. This definition may also be stated as distinguishing "bad" molecules from "good." In normal immune responses, the sequence of events involves dedicated antigen presenting cells (APC) capturing foreign antigen and processing it into small peptide fragments which are then presented in clefts of major histocompatibility complex (MHC) molecules on the APC surface. The MHC molecules can either be of class I expressed on all nucleated cells (recognized by cytotoxic T lymphocytes (Tc)) or of class II expressed primarily by cells of the immune system (recognized by helper T lymphocytes (Th)).

(1) 25 [0004] Resting APC are programmed for antigen trapping and processing into peptide fragments, which are then expressed on the surface MHC molecules. These more activated APC then become better able to stimulate T cells rather than trap and process additional antigens. Th cells recognize the MHC II/peptide complexes on APC and respond.

(1) 30 [0005] There are two types of Th cells distinguished by the different types of soluble regulatory factors they produce. Th1 cells primarily produce IL2 and gamma interferon (IFN γ).



Norwood Abbey
 UNITED STATES PATENT AND TRADEMARK OFFICE

156857-34

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20531
 WWW.USPTO.GOV

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	PL. FFF REF'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/977,478	10/12/2001	1544	435	15885/- 0034	34	14	1

29000
 IRELL & MANELLA LLP
 1800 AVENUE OF THE STARS
 SUITE 900
 LOS ANGELES, CA 90067

CONFIRMATION NO. 2593
 UPDATED FILING RECEIPT



0000000007743034

Date Mailed: 03/29/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Richard Boyd, Prahran, AUSTRALIA;

Domestic Priority data as claimed by applicant

Foreign Applications

PCT/AU00/00329 04/17/2000
 AUSTRALIA PP9778 04/15/1999
 AUSTRALIA PRO745 10/13/2000

If Required, Foreign Filing License Granted 11/05/2001

Projected Publication Date: 07/04/2002

Non-Publication Request: No

Early Publication Request: No

" SMALL ENTITY "

Title

Stimulation of thymus for vaccination development

Preliminary Class

THIS APPLICATION IS A CIP OF 09/965,394 09/26/2001
 WHICH IS A CIP OF 09/755,965 01/05/2001
 WHICH IS A CIP OF 09/795,286 10/13/2000
 AND A CIP OF 09/795,302 10/13/2000
 AND SAID 09/795,286 AND 09/795,302 10/13/2000
 ARE CIPS OF PCT/AU00/00329 04/17/2000

424

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).